

SMITH HOPEN

INTELLECTUAL PROPERTY LAW

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October 14, 2009

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant: Dennis K. Killinger
Serial No.: 10/604,182
Filed: 06/30/2003

Art Unit: 2613
Examiner: Agustin Bello
Confirmation No.: 1181

For: Open-Path/Free-Space Optical Communication System and Method Using Reflected or Backscattered Light
Our Reference No.: 1372.08.PRWOUS

Dear Sir:

Enclosed please find the following:

1. Applicants' response to Notice of Non-Compliant Amendment (37 CFR 1.121) dated October 1, 2009 (9 pages).

Very respectfully,

SMITH & HOPEN

/ronald e smith/

By: Ronald E. Smith
ron.smith@smithhopen.com

RES/jt
Encl.

CERTIFICATE OF ELECTRONIC TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being electronically transmitted to the Patent and Trademark Office through EFS Web on October 14, 2009.

Date: October 14, 2009

/jessica thompson/
Jessica Thompson